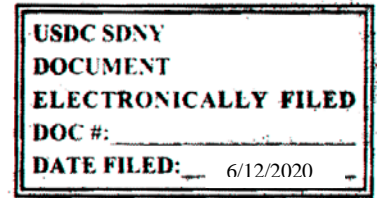


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

03-MDL-01570 (GBD)(SN)

**TERRORIST ATTACKS ON
SEPTEMBER 11, 2001**

ORDER

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SARAH NETBURN, United States Magistrate Judge:

On June 2, 2020, non-party the Federal Bureau of Investigation (“FBI”) filed a letter under seal requesting, pursuant to the FBI Protective Order (ECF No. 4255), that the Court redact from the transcript a number of document and page number citations referred to by the parties during a May 21, 2020 oral argument. ECF No. 6255. The FBI’s letter is unopposed. In light of the limited redactions and the non-party FBI’s higher interests, the FBI’s request is GRANTED.


Separately, on May 29, 2020, the Kingdom of Saudi Arabia (“Saudi Arabia”) filed a letter under seal requesting that certain redactions be made to the transcript regarding statements made by both parties that inadvertently disclosed information protected from the public pursuant to the Protective Order in this case (ECF No. 1900) and the Court’s Opinion & Order regarding the sealing of evidence (ECF No. 4696). ECF No. 6251. The Plaintiffs’ Executive Committees (“PECs”) filed a letter under seal in opposition to Saudi Arabia’s request. ECF No. 6260. On June 4, 2020, Saudi Arabia informed the Court via e-mail that it does not intend to file a reply to Plaintiffs’ letter.

In support of their arguments, counsel for both the PECs and Saudi Arabia discussed limited information that relates to material Saudi Arabia had designated as confidential pursuant to the Protective Order. These statements were made during an oral argument, open to the public

and at which nearly 450 members of the public and press were listening in. Redacting these already-public statements from the transcript is akin to retroactively closing the proceedings, an act for which a “district court must make specific, on the record findings . . . demonstrating that closure is essential to preserve higher values and is narrowly tailored to serve that interest.”

United States v. Alcantara, 396 F.3d 189, 199 (2d Cir. 2005) (internal citations and quotation marks omitted). The record before the Court does not support such a finding. Accordingly, Saudi Arabia’s request is DENIED.

SO ORDERED.



SARAH NETBURN
United States Magistrate Judge

DATED: June 12, 2020
New York, New York